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1995 UNOPA Parking Appeals Committees

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UNL PARKING APPEALS COMMITTEES

Procedural Guidelines

Any person receiving an official UNL parking violation who feels the issuance of the citation is not in accordance with UNL Parking Rules and Regulations has the right to appeal the citation, in person or in writing, to the appropriate UNL Parking Appeals Committee. Committee discussion will be held prior to taking action on a written appeal only if the appeal form states the person is unable to attend the appeals hearing.

COMMITTEE STRUCTURE

Student Parking Appeals Committee

The Association of Students of the University of Nebraska (ASUN) is responsible for (a) selecting a pool of students to serve on one or more Student Parking Appeals Committees as needed each semester and (b) assuring committee member attendance at meetings to provide timely review of student parking appeals. Each committee will consist of three (3) students. All three (3) student are required to be present to take action on student parking appeals.

Faculty/Staff Parking Appeals Committee

The Faculty/Staff Parking Appeals Committee is comprised of one representative from each of three recognized faculty/employee organizations: the Academic Senate, the University Association for Administrative Development (UAAD), and the University of Nebraska Office Personnel Association (UNOPA). Committee members are responsible for assuring meeting attendance (by the member or an alternate), to provide timely review of faculty/staff parking appeals. All three (3) committee members are required to be present to take action on faculty/staff parking appeals.

COMMITTEE SUPPORT FROM UNL PARKING SERVICES

Members of the UNL Parking Services staff will provide the following support for UNL Parking Appeals Committees:

1. Conduct an orientation session for committee members at the beginning of each academic year (or semester as needed). The orientation consists of thorough review of UNL Parking Rules and Regulations and an explanation of UNL enforcement methodology. The orientation should be completed prior to the first meeting of each Parking Appeals Committee.
2. Notify each person desiring to appeal the receipt of a parking violation of their right

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of appeal to the appropriate committee, of the processes involved in filing an appeal either in person or in writing, and of the date of the appeal hearing.

3. Organize the appeal hearing appearances and appropriate documentation required to review the oral and written parking appeals before the appropriate committee.
4. Attend each committee meeting in an advisory capacity.

APPEAL HEARING PROCEDURES

Each person appealing a parking violation to a UNL Parking Appeals Committee is informed at the beginning of the hearing that the committee is allowed to determine facts and make a decision of appeals where the evidence does not support a violation of the UNL Parking Rules and Regulations. The committee members are not to judge the necessity of parking regulations, but to make their decision on the basis of whether the alleged violation actually occurred.

Each hearing before a UNL Parking Appeals Committee will be conducted in the following manner:

1. Prior to the hearing, the appellant has the right to examine all UNL Parking Services information materials relative to the alleged violation.
2. The appellant is entitled to the aid of counsel or an advisor at the hearing if so desired.
3. The hearing is conducted in such manner as to do substantial justice and shall not be unduly restricted by the rules of evidence.
4. The appellant and UNL Parking Services staff are entitled to a reasonable cross examination. Committee members may question the appellant and call witnesses on their own motion.
5. The appellant is not present during the deliberation of the committee.
6. The committee renders its opinion in writing, including a finding of facts and the disposition.

DISPOSITION OF APPEALS

The UNL Parking Appeals Committees, after conducting hearing in compliance with the above procedures, has the power to: 1) sustain the parking violation, 2) modify the parking

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violation, or 3) set aside the parking violation.

All committee decisions are by majority vote. A tie vote (in case of an abstention) will be found in favor of the appellant.

An appeal of the decision made by a UNL Parking Appeals Committee may be made to the UNL Parking Advisory Committee in accordance with the guidelines for such procedure. An appeal only may be made if the appellant has concerns regarding due process procedures.